

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Julie Straub, David Altreuter, Howard Bernstein, Donald E. Chickering, III,
Sarwat Khattak and Greg Randall

Serial No.: 10/053,929

Art Unit: 1618

Filed: January 22, 2002

Examiner: Blessing M. Fubara

For: *POROUS DRUG MATRICES AND METHODS OF MANUFACTURE THEREOF*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56 and 37 C.F.R. § 1.97, Applicants submit a Supplemental Information Disclosure Statement, including two (2) pages of Form PTO-1449, and copies of the publications cited therein. Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, copies of the U.S. Patents cited below are not enclosed. However, copies will be provided upon request.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d) after a Notice of Appeal. The Commissioner is hereby authorized to charge a fee of \$180.00 to Deposit Account No. 50-3129, representing the fee required under 37 C.F.R. § 1.17(p). It is believed that no additional fee is required with this submission. However, should

an additional fee be required, the Commissioner is hereby authorized to charge any fees to
Deposit Account No. 50-3129.

Certification Under 37 C.F.R. § 1.97 (e)(2)

Each item of information listed below this certification in this Supplemental Information
Disclosure Statement was not cited in a communication from a foreign patent office in a
counterpart foreign application, and, to the knowledge of the person signing the certification
after making reasonable inquiry, each item listed below was not known to any individual
designated in § 1.56(c) more than three months prior to the filing of this Supplemental
Information Disclosure Statement.

U.S. Patents

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
5,064,640	11-12-1991	Kleber, et al.	424/52
5,643,605	07-01-1997	Cleland, et al.	424/489
5,676,968	10-14-1997	Lipp, et al.	424/448
5,691,370	11-25-1997	Cupps, et al.	514/394
5,763,445	06-09-1998	Kruse, et al.	514/18
5,795,978	08-18-1998	Ansmann, et al.	536/120

Publications

Drug Information Handbook, Lexi-Comp, Inc.: 1999, Hudson, Ohio, pp 732-733 and
768-769.

HAMDONA, et al., "Effect of some amino acids on the rate of dissolution of calcite
crystals in aqueous systems", *Desalination*, 101:263-267 (1995).

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Additional Patents cited in Office Action in related Divisional applications

In addition to the references listed above and cited in the attached two (2) pages of Form PTO-1449 and pursuant to the duty of disclosure in 37 C.F.R. §1.56, Applicants hereby disclose that the following U.S. Patents, both of which are assigned to the assignee of the present application, were cited in related divisional applications, U.S.S.N. 10/924,642 and U.S.S.N. 10/928,886.

U.S. Patents

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
6,800,297	10-05-2004	Altreuter, et al.	424/484
6,932,983	08-23-2005	Straub, et al.	424/489

U.S.S.N.: 10/053,929
Filed: January 22, 2002
SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Applicants believe that neither of these patents is prior art to the claims in the pending application, but invite the Examiner to make an independent evaluation of their relevance.

Respectfully submitted,

/ Rivka D. Monheit /

Rivka D. Monheit
Reg. No. 48,731

Dated: September 4, 2008

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2152 (Telephone)
(404) 879-2160 (Fax)